

Application No. 10/589,458
AMENDMENT AFTER FINAL UNDER 37 C.F.R. § 1.116 dated July 20, 2011
Reply to Office Action of April 29, 2011
Attorney Docket 1410-67688-US

REMARKS

Claims 1-56 are currently pending in the application. Claims 41-56 are canceled herein. Applicants thank the Examiner for the indication that claims 25-40 are allowed. Claim 1 is amended to include the features of claim 25, and claim 25 is canceled. Claims 1-40 stand rejected on the ground of nonstatutory double patenting. Therefore, claims 1-24 and 26-40 are at issue. Applicants respectfully request reconsideration of the claims of this application in light of the remarks presented herein.

Double Patenting

Claims 1-40 stand provisionally rejected on the ground of nonstatutory double patenting over claims 1-35 and 52-67 of copending Application No. 10/589,459. A Terminal Disclaimer is filed herewith to obviate this nonstatutory double patenting rejection.

Claim Rejections Under 35 U.S.C. § 103

Claims 1-3 and 14-17 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 6,968,775 to Burrows et al., and in view of U.S. Patent 7,032,503 to Cai ("Cai '503"). Claims 4-13, 18-20 and 22 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Burrows, in view of Cai '503 and further in view of U.S. Patent No. 6,777,007 to Cai ("Cai '007"). Claims 21 and 23-24 stand rejected under 35 U.S.C. § 103(a) as being unpatentable Burrows, in view of Cai '503, in further view of Cai '007, and in view of U.S. Publication No. 2004/0197444 to Halliday et al. The claims have been amended to advance prosecution and without prejudice to pursuing the claims prior to this amendment in a continuation application. In particular, claim 1 has been amended to incorporate the feature of allowed claim 25. In view of these amendments, it is believed that all of the pending claims are now in an allowable form.

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Conclusion

For all of the reasons mentioned above, the Applicants respectfully request reconsideration and allowance of all pending claims. The Examiner is invited to contact the undersigned attorney to expedite prosecution.

The Commissioner is hereby authorized to charge any additional fees which may be required with respect to this communication, or credit any overpayment, to Deposit Account No. 06-1135.

Respectfully submitted,
FITCH, EVEN, TABIN & FLANNERY

Dated: July 20, 2011

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Appendix